App F IX 1

Previous References 1947 48 (nil)

File No 41-47
Serial Nos 12, 13

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

Part B for Inspection

SUBJECT

Fixing the number of Councillors required for forming quorum for an ordinary meeting and for an adjourned meeting of the municipal Council at ⅓ of whole no of Councillors

K 9036 — 8 26-9-47

No — Compiling may approves and notifies the proposal for ———

K

1657
III

From the President City Municipal Council
Mysore

M 3 p 63 Dated 16-9-47

States that the meeting of the Mysore City Municipal Council is being adjourned for want of a Quorum and that the normal work of the Municipality would come to a standstill, as a result of frequent adjournments and requests the Govt to issue notification fixing the Quorum for a meeting at 1/3rd and for the adjourned meeting at 4 Councillors under Section 27 (7) of the City Municipalities Act

" A Copy of the G O No C 5038-47
III 133-37-1
dated 4-12-1937 directing that the business to be transacted at meetings of Municipal Councils, be confined to matters connected with the municipal administration as laid

2) ~~—~~ ~~—~~ 13
2) ~~—~~ is reported that matters which do not strictly pertain to the municipal administration of Mysore city are being brought forward for discussion at Municipal Council meetings and that, on such resolutions being disallowed by the President, the meetings are being frequently adjourned

3) with a view to get over the present impasse, and to see that the normal work of the Municipality does not come to a standstill, the President-Mysore city Municipal Council has requested the Government to issue notifications fixing the Quorum for a Municipal meeting at one-fifth and for an adjourned meeting at four Councillors for a period of two months, as contemplated in Section 27 (7) of the Mysore City Municipalities Act-

1657
ML

1479/Cit.1

4) The proposal may perhaps be approved

Consultation with Law Branch

5) Necessary provision must be
22/9 by (7) of the Act to
give effect to the proposal made
by the President, namely relief
& notwithstanding anything contained
as contemplated under the Act, to
persons / time being fixed for two
months

6) The Law Department may also be
Consulted in the matter

Respectfully submitted

7) For perusal in the
first instance-

8) The Law Branch will be
Consulted & the file
Recommended

(1) Orders have to be
Issued urgently
Please put up the file tomorrow with the opinion
of the Law Secy
23/9/47 for
22/9/47

Ministry
Econ & Pt
Law Secy
(O/C)
22/9/47

Law - F.T.
1293
27 SEP 1947
3PM 23/9
PLF SECRETARY
23/9 P.M.
1-30
OF INDIA
OFFICE OF THE ADVISER
ON EDUCATION
Date 22/9
No 2077

1479/Laws,

Mysore City Act s 27 (7) the City Municipalities Act

(10) The quorum for a Municipal Council may be defined to be that number of the body which, when assembled in a proper place, will enable them to transact their proper business It is usually fixed by a statute Section 27(7) of the City Municipalities Act fixes the quorum to be 1/3 of the whole number of councillors It also provides that Government may by notification in the Official Gazette, direct the quorum to be less than 1/5 of the number In case the number is less than the quorum fixed by statute or by Government specifically, it is open to the presiding authority (after waiting for not less than 15 and not more than 30 minutes) to adjourn a meeting to such hour on a following or some other future day as he may reasonably fix For such adjourned meetings the presence of not less than 1/5 of the whole number of councillors or five councillors, whichever is greater, or during such time as Government, may by notification in the official Gazette, direct not less than four councillors, is necessary It is clear, therefore, that Government are empowered to fix the quorum to be less than 1/5 for the ordinary meetings and four councillors for adjourned meetings under Section 27(7) of the City Municipalities Act In the circumstances, the proposal of the President, Mysore City Municipality, appears to be reasonable

Laws Secy) 23/9

Agree) the proposal of the quorum as proposed is primafacie under S 27

Min Edn & Dir P Health) Secy Finance

1657

12) Submitted with reference to para 9 Enclosure for orders

C[illegible] E[illegible]
Date 26/9
No 2466

Minister Legs
Edn dep H

25/9/47

The proposal of the President may be approved

26/9/47

Submitted with a draft note for calling

2

T.
The Commissioner - Mrg
" President - M & K
Gf 26 - d 24-9-47
Addresses of notices

M L 41747-12 1657/M1

M S Hiranayya M A
PRESIDENT

City Municipal Council
MYSORE

Date 16th September, 47

XXX Recommended

Mr. Ramachandra Rao - please note & submit this within two days for submission to Govt. Rao for Govt

I write to state that excluding the Ex-officio President, the strength of the Municipal Council is 30 Of these 23 members belong to one group and 7 are Independents Of late a tendency has been observed by the majority group to bring before the Council some resolutions which do not strictly pertain to Municipal matters and which the President has necessarily to disallow under the rules This results invariably in a walk-out and there being not adequate members to constitute a quorum, business has to be adjourned

On 30-8-47 the usual Ordinary monthly Meeting of the Council was held Before the proceedings began, Mr T Lariappa wanted to move a proposition criticising the action of Government in the matter of promulgating the Criminal Law Amendment Act (Emergency) 1947 This was disallowed by me as the subject was beyond the purview of the Municipal Administration Then the members of one party staged a walk-out to show their protest on the ruling A few minutes later they all came back and Mr Lariappa moved that the meeting be adjourned to 5-9-47 This proposition was allowed as it was in order and it being carried the meeting was adjourned accordingly

The adjourned meeting was held on 5-9-47 By this time Messrs T Mariappa, P Sitharamiah and 12 other Councillors were learnt to have been arrested under the Emergency Criminal Law Amendment Act At the time of the meeting, only 14 members were present including the President Before the commencement of the meeting Mr Gopalakrishna Setty, Secretary of the Municipal Congress Party wanted permission to move a proposition relating to the recent disturbances in the City This had to be disallowed by the Chair as not being consistent with the rules The members of the majority party

walked out in protest The meeting had to be adjourned again for want of a quorum

The adjourned meeting of the Council was again called for the third time on the 15th inst Before the meeting commenced, Mr G R Rangaswamiah, one of the members of the Congress Party, sought permission of the Chair to move a proposition condemning the action taken by the police authorities in respect of the recent disturbances in the City This too had to be disallowed by me as the subject clearly fell outside the domain of Municipal matters One group of Councillors walked out of the Council Hall in protest with the result there was again no quorum and the meeting had again to be adjourned, inspite of the fact that there were many important subjects which had to be considered and many estimates which had to be sanctioned

A group in the Council are at present attempting to utilise the Council to particular differences This is growing and it is apprehended that the normal work of the Municipality will come to a stand-still, until there is a change in the political situation and this group decides to co-operate with the Administration The result of frequent adjournment of meetings has been that bills cannot be paid and contractors are likely to leave the Municipal works half done This may result in a serious loss later on, in addition to legal complications Moreover the works programme of the year cannot be put through It is already September and neither the Works Committee nor the Council has been able to meet for nearly a month It is not likely under the present circumstances that conditions will return to normal immediately and in the interest of Municipal work a way has to be found out of the impassee Under Section 27(7) of the City Municipalities Act there is a provision for Government fixing by Notification in the official Gazette the quorum at 1/5 of the total number of members There is also a provision for Government directing by Notification that for such time as it thinks fit the quorum

may be fixed at 4 Councillors for an adjourned meeting I am of the opinion that it is urgently necessary that these reductions in the quorum should be made for a period of 2 months from now I, therefore, request that Government may be pleased to issue notifications fixing the quorum for a meeting at 1/5 and for an adjourned meeting at 4 Councillors under Sections 27(7) of the City Municipalities Act for a period of 2 months from now

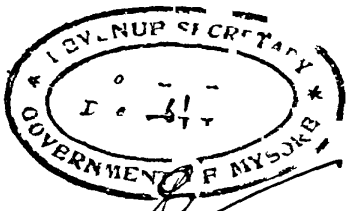
I may further state that wherever this reduced quorum is only present I shall get through only very urgent or routine business and will defer matters of importance till the full Council is present I request immediate orders in the matter

Yours sincerely,

Mahmaayy

Syed Abdul Aleem, Esq ,B A ,
Secretary to Government,
Revenue Department,
Bangalore

Receipt No 158 dated 26th Septr 1947



President,
Mysore City Municipal Council

Express

Notification issued fixing quorum for Municipal Meetings at one-fifth for ordinary and four for adjourned Stop Orders under transit

REVSEC

26/9/47

Revenue Secretary to Government

Government of His Highness the Maharaja of Mysore.

L AND REVENUE DEPARTMENTS

Ml 133 37 1 Dated Bangalore 4th December 1937

Business to be transacted at meetings of Municipal Council's

Directs that the———be confined to matter connected with the municipal administration.

From

The Secretary to the Government of His Highness the Maharaja of Mysore
Local Self Government Department

To

The Deputy Commissioners of Districts
The Municipal Commissioner Bangalore City
(through the President)
The President City Municipal Council Mysore

Sir

Under proviso to section 27 (3) of the Mysore City Municipalities Regulation (1933) and the Mysore Town Municipalities Regulation(1933) the motion or proposition of which a councillor or councillors shall have given notice for consideration at a meeting-general or special—of the municipal council shall relate to matters connected with the municipal administration and shall not be inconsistent with the provisions of the said Regulations

It has come to the notice of Government that contrary to the provisions of the above section certain municipal councils are passing resolutions on matters unconnected with municipal administration I am therefore to point out that the business transacted by municipal councils at their meetings —whether ordinary or special—should be confined to matters connected with the municipal administration

I have the honour to be
Sir
Your most obedient servant

P H KRISHNA RAO
Secretary to Government
Local Self Government Department

Appendix F G—1]

SUBJECT.

Yeoman Express

President

Mysore city Municipal

Council

Notification issued fixing

quorum for municipal meetings

at one fourth for ordinary and for

Committees for adjourned orders

under transit Revised

Appendix F G —1]

SUBJECT

Section ML

File No 41-47

Serial No 13

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 26th Sept 47

Signed by Mr G Rao

No L98[illegible] Notification
ML-41-47-13
26/9/47

To

Under section 27 (7) of the Mysore City Municipalities Act, 1933 as amended from time to time, Government are pleased to direct that for a period of two months with effect from 26th September 47 the Quorum for holding the meetings of the City Municipal Council, Mysore, be fixed at one fifth of the whole number of Councillors for an ordinary General Meeting and at not less than four

The No of Councillors required to form a Quorum, for an ordinary meeting & for an adjourned meeting of the Mysore City Municipal Council to be fixed at 1/5th of the whole no of Councillors and not less than four Councillors respectively

List of enclosures.....

Codied by

Examined by

26/9/47 L-9837 dt 26 9 47

WD 4161—GPB—60 000—24 10 41

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 9836 /HL-41-47-13 General and Revenue Secretariat

Dated Bangalore 26th Sept. 47

NOTIFICATION

Under Section 27 (7) of the Mysore City Municipalities Act, 1933, as amended from time to time, Government are pleased to direct that, for a period of two months, with effect from 26th September 1947, the number of Councillors required to form a quorum, for an ordinary meeting and for an adjourned meeting of the Mysore City Municipal Council, be fixed at one-fifth of the whole number of Councillors and at not less than four Councillors respectively

By Order,

for Secretary to Government,
Revenue Department

To

The Compiler, Mysore Gazette, for publication in the Gazette

Spare Copy

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No

Dated Bangalore 9/10/1947

NOTIFICATION

Under Section 27 (7) of the Mysore City Municipalities Act 19.3 as amended from time to time, Government are pleased to direct that, for a period of two months, with effect from 26th September 1947, the number of Councillors required to form a quorum, for and an ordinary meeting and for an adjourned meeting of the Mysore City Municipal Council, be fixed at one-fifth of the whole number of Councillors and at not less than four Councillors respectively.

By Order,

Secretary to Government,
Revenue Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No

Dated Bangalore 26/9/1947

NOTIFICATION

Under Section 27 (7) of the Mysore City Municipalities Act 1933, as amended from time to time, Government are pleased to direct that, for a period of two months, with effect from 26th September 1947, the number of Councillors required to form a quorum, for ~~xxx~~ an ordinary meeting and for an adjourned meeting of the Mysore City Municipal Council, be fixed at one-fifth of the whole number of Councillors and at not less than four Councillors respectively.

By Order,

Secretary to Government,
Revenue Department.

To

The Compiler, Mysore Gazette, for publication in the Gazette.